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REMARKS

In this Response, Applicants traverse the Examiner's rejections. Silence with regard to any of the Examiner's rejections should not be construed as acquiescence to any of the rejections. Specifically, silence with regard to any of the rejections of the dependent claims that depend from an independent claim considered by Applicants to be allowable based on the Remarks provided herein should not be construed as acquiescence to any of the rejections. Rather, silence should be construed as recognition by the Applicants that the previously lodged rejections are moot based on the Remarks submitted by the Applicants relative to the independent claim from which the dependent claims depend. Applicants reserve the option to further prosecute the same or similar claims in the instant or a subsequent application. Claims 1-56 are pending in the instant application.

Office Action, ¶¶ 1 and 2

The Examiner rejected claims 1-56 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,047,179 to Kirby.

Claims 1-11

Applicants' independent claim 1 is directed to a system for allowing a subscriber to a prepaid communication service to roam between different service markets. Among other things, Applicants' independent claim 1 includes a location register that is *capable of identifying a class of market associated with a mobile switching center* and that can modify a subscriber profile *as a function of the identified class of market* for controlling the services provided to the subscriber.

The Examiner stated that Kirby disclosed a system including "a location register (fig. 21/no. 46, 49, col. 12/ln. 52-53) in communicating with the serving MSC and HLR (fig. 1/ln. 43) being capable of collecting the subscriber profile and capable of identifying a class of market (see specification, pg. 12/TABLE 1, where it is clear that the serving MSC class is identified as prepaid (subscription) and non-prepaid (non-subscription)) and modify the subscriber profile (col. 26/ln. 1-20) as a function of the identified class of market for controlling the services provided to the subscriber (fig. 3-5, col. 4/ln. 20-35, col. 10/ln. 1-35, col. 24/ln. 29 - col. 26/ln. 62)."

Applicants respectfully disagree with the Examiner's characterization of Kirby. Kirby describes a system that allows a debit subscriber to a home network to place a call in a visiting

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network. Kirby includes a home network B having a home debit platform B, a visiting network A having a debit platform A, a visiting network C that does not have a debit platform, and a national service hub having a national debit platform. (Kirby Fig. 1.)

In a first scenario taught by Kirby, when a subscriber places a call in network A, a switch in network A routes the call to debit platform A; and, upon receiving authorization data from home debit platform B, debit platform A routes the call. (Kirby col. 19, l. 1 to col. 22, l. 49.) Kirby does not teach modifying the subscriber's profile in this scenario, and accordingly, this scenario of Kirby (i.e., network A) thus cannot teach the express feature of Applicants' independent claim 1 that includes a location register that *modifies a subscriber profile as a function of the identified class of market* for controlling the services provided to the subscriber.

Alternatively, in a second scenario related to processing network C calls, Applicants agree that Kirby does teach modifying a subscriber profile, yet in a manner not contemplated by Applicants' independent claim 1. Kirby teaches that subscriber calls from network C are routed by a switch in network C to the national debit platform, which, upon receiving authorization data from home debit platform B, automatically modifies the subscriber profile to route the call through the national debit platform. (Kirby col. 18, ll. 39-67, col. 22, l. 58 to col. 24, l. 18.) In contrast, Applicants' independent claim 1 includes identifying a class of market, and modifying a subscriber profile *as a function of the identified class of market*. Kirby's teaching of one scenario that employs the national hub to automatically and systematically modify subscriber profiles for calls from a given network (e.g., network C) is thus not the same as Applicants' independent claim 1 that identifies the class of market, and modifies the subscriber profile *as a function of the identified class of market*. Accordingly, Applicants consider independent claim 1 to be allowable.

Since claims 2-11 depend from claim 1, Applicants also consider claims 2-11 to be allowable as depending on an allowable base claim, thereby mooted the Examiner's rejections of claims 2-11. Applicants' failure to respond to the Examiner's rejections of dependent claims 2-11 should not be construed as acquiescence to any of the rejections. Rather, Applicants' failure to respond to the Examiner's rejections should be construed as recognition by the Applicants that the previously lodged rejections are moot based on the Remarks submitted by the Applicants relative to claim 1.

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Claims 12-56

Applicant's independent claim 12 is directed to a system that includes a location register that is capable of *identifying a class of market associated with a mobile switching center and modifying the subscriber profile as a function of the identified class of market.*

Applicant's independent claims 21, 28, 33, and 38 are directed to methods and processor programs for processing calls from a subscriber including *identifying a class of market associated with a mobile switching center*, wherein the mobile switching center receives a call associated with a subscriber; *and, based on the identified class of market, modifying a profile associated with a subscriber to deliver the call to a prepaid platform.*

Applicant's independent claims 43 and 51 are directed to methods and processor programs for routing a call including *determining whether a prepaid platform is associated with a market for a mobile switching center receiving the call; and, based on whether a prepaid platform is associated with the market for the mobile switching center receiving the call*, routing the call to at least one of a hotline number and a prepaid platform associated with the market for the mobile switching center.

As previously provided herein, Kirby does not teach a location register that is *capable of identifying a class of market associated with the mobile switching center* and that modifies the subscriber profile *as a function of the identified class of market* for controlling services provided to the subscriber. As such, Applicant considers independent claims 12, 21, 28, 33, 38, 43, and 51 to be allowable.

Since claims 13-20, 22-27, 29-32, 34-37, 39-42, 44-50, and 52-56 depend from at least one of claims 12, 21, 28, 33, 38, 43, and 51, Applicants also consider claims 13-20, 22-27, 29-32, 34-37, 39-42, 44-50, and 52-56 to be allowable as depending on an allowable base claim, thereby mooting the Examiner's rejections of claims 13-20, 22-27, 29-32, 34-37, 39-42, 44-50, and 52-56. Applicants' failure to respond to the Examiner's rejections of dependent claims 13-20, 22-27, 29-32, 34-37, 39-42, 44-50, and 52-56 should not be construed as acquiescence to any of the rejections. Rather, Applicants' failure to respond to the Examiner's rejections should be construed as recognition by the Applicants that the previously lodged rejections are moot based on the Remarks submitted by the Applicants relative to claims 12, 21, 28, 33, 38, 43, and 51.

Based on the Remarks previously provided herein, Applicants traverse the Examiner's rejection of claims 1-56 under 35 U.S.C. § 102(e).

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CONCLUSION

Based on the foregoing Remarks, Applicants respectfully submit that this application is in condition for allowance. Accordingly, Applicants request allowance. Applicants invite the Examiner to contact the Applicants' undersigned Attorney if any issues are deemed to remain prior to allowance.

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Customer No. 25,181
Patent Group
Foley Hoag LLP
155 Seaport Blvd.
Boston, MA 02210
Tel: (617) 832-1241
Fax: (617) 832-7000

Respectfully submitted,
FOLEY HOAG LLP



Kevin A. Oliver
Reg. No. 42,049
Attorney for the Applicants